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EAST AFRICA PROTECTORATE.

NOTICE.

THE following Rules made by His Majesty's Commissioner, with the approval of the Secretary of State, are published for general information.

C. ELIOT,
His Majesty's Commissioner.

Mombasa, April 12, 1902.

RULES UNDER ARTICLE 60 (A) OF "THE EAST AFRICA MINING REGULATIONS, 1902."

No. 11 of 1902.

Safe Mining.

Ventilation.

1. AN adequate amount of ventilation shall be produced in every mine, so as to render every part of that mine in which working is taking place fit for working and passing therein.

Use of safety lamps.

2. Safety lamps shall be used in every coal mine in which inflammable gas has been found to exist within the preceding twelve months.

Inflammable gas

3. In every coal mine in which inflammable gas has been found to exist within the preceding twelve months, then once in every twenty-four hours the manager of the mine, or a competent person appointed by him, shall, before the work is commenced in any part of the mine inspect with a safety lamp that part of the mine, and shall make a true report of the conditions thereof in a book to be kept for the purpose, which report shall be signed by the person making the inspection.

Such book shall at all times be open to inspection by the Commissioner of Mines, or other officer appointed by the Commissioner for the purpose.

Disused workings to be fenced.

4. All entrances to any place not in actual course of working and extension shall be properly fenced across the whole width of such entrances, so as to prevent persons inadvertently entering the same.

Unauthorized persons prohibited from entering mines.

5. No person except the Inspector of Mines shall enter any mine unless authorized to do so by the manager or competent person deputed by him.

Precautions to be taken in case of discovery of gas.

6. If at any time it is found by the person for the time being in charge of the mine or any part thereof, that, by reason of noxious gases prevailing in such mine or such part thereof, or from any cause whatever, that the mine or the said part is dangerous, every workman shall be withdrawn from the mine or of such part thereof as is so found dangerous, and a competent person, who shall be appointed for the purpose, shall inspect the mine or such part thereof as is so found dangerous, and if the danger arises from inflammable gas, shall inspect the same with a locked safety lamp, and in every case shall make a true report of the condition of such mine or part thereof, and the workman shall not, except in so far as is necessary for inquiring into the cause of the danger, or for the removal thereof, or for exploration, be readmitted into the mine or such part thereof as was so found dangerous, until the same is stated in such report not to be dangerous.

Every such report shall be recorded in a book, which shall be kept at the mine for the purpose, and shall be signed by the person making the same.

Examination of safety lamps.

7. In every coal mine where safety lamps have to be employed, a competent person shall be appointed by the person in charge of the mine, whose duty it shall be to see and examine every lamp taken into the mine. He shall see that it is secure and securely locked. No person shall, unless appointed for the purpose, have in his possession any key or contrivance for opening the lock of any such lamp, or lucifer match, or any kind of apparatus for striking a light. Wherever safety lamps are required or directed to be used, no person shall use any open lamp.

Explosives, proper use of.

8. Gunpowder or other explosive or inflammable substance shall only be used in the mine underground as follows :—

(*a.*) It shall not be stored in the mine.

(*b.*) It shall not be taken into the mine except in a case or canister containing not more than 4 lbs.

(*c.*) A workman shall not have in use at one time, in any one place, more than one of such cases or canisters.

(*d.*) In charging holes for blasting, an iron or steel pricker shall not be used, and a person shall not have in his possession in the mine underground any iron or steel pricker, and an iron or steel tamping rod or stemmer shall not be used for ramming either the wadding or the first part of the tamping or stemming on the powder.

(*e.*) A charge of powder which has missed fire shall not be unrammed.

(*f.*) It shall not be taken into or be in the possession of any person in any mine except in cartridges, and shall not be used except in accordance with the following Rules during three months after any inflammable gas has been found in any such mine, viz. :—

(1.) A competent person who shall be appointed for the purpose shall, immediately before firing the shot, examine the place where it is to be used and the place contiguous thereto, and shall not allow the shot to be fired unless he finds it safe to do so, and a shot shall not be fired except by or under the direction of a competent person who shall be appointed for the purpose.

(2.) If the said inflammable gas issued so freely that it showed a blue cap on the flame of the safety lamp, it shall only be used—

(*a.*) Either in those cases of stone drifts, stone work, and sinking of shafts in which the ventilation is so managed that the return air from the place where the powder is used passes into the main return air course, without passing any place in actual course of working ; or

(*b.*) When the persons ordinarily employed in the mine come out of the mine or out of the part of the mine where it is used.

(*g.*) Where a mine is divided into separate panels in such manner that each panel has an independent intake and return airway from the main air course and the main return air course, the provisions of this rule with respect to gunpowder or other explosive inflammable substance, shall apply to each such panel in like manner as if it were a separate mine.

Precautions to be taken to ascertain if dangerous accumulation of water in working.

9. Where a place is likely to contain a dangerous accumulation of water, the working approaching such place shall not exceed 8 feet in width, and there shall be constantly kept at a sufficient distance, not being less than 5 yards in advance, at least one borehole near the centre of the working, and sufficient flank boreholes on each side.

Signalling in levels, places of refuge.

10. Every underground plane on which persons travel, which is self-acting, or worked by an engine, windlass, or gin, shall be provided (if exceeding 30 yards in length) with some proper means of signalling between the stopping places and at the end of the plane, and shall be provided in every case, at intervals of not more than 20 yards, with sufficient manholes for places of refuge.

Places of refuge or horse roads.

11. Every road on which persons travel underground where the load is drawn by a horse or other animal, shall be provided, at intervals of not more than 50 yards, with sufficient manholes, or with a space for a place of refuge, which space shall be a sufficient length and of at least 3 feet in width between the waggons running on the tram-road and the side of such road.

Places of refuge to be kept clear.

12. Every manhole and space for a place of refuge shall be constantly kept clear, and no person shall place anything in a manhole or such place, so as to prevent access thereto.

Disused shafts to be covered in.

13. The top of every shaft which for the time being is out of use, or used only as an air shaft, shall be securely fenced.

Entrance to shafts to be fenced.

14. The top of all entrances between the top and bottom of every working or pumping shaft shall be properly fenced, but this shall not be taken to forbid the temporary

removal of the fence for the purpose of repairs or other operations if proper precautions are used.

Shafts, security of

15. Where the natural strata are not safe, every working or pumping shaft shall be securely cased, lined, or otherwise made secure.

Underground workings, security of roof, &c.

16. The roofs and sides of every travelling road and working place shall be made secure, and a person shall not, unless appointed for the purpose of exploring or repairing, travel or work in any such travelling road or working place which is not so made secure.

Winding engine, competent person to be in charge of.

17. A competent person shall be stationed at the mouth of every shaft for the purpose of working the machinery which may be employed in raising or lowering persons therein during the whole time any person is below ground.

Single-linked chain not to be used for winding gear.

18. A single-linked chain shall not be used for lowering or raising persons in any working shaft or space, except for the short coupling chain attached to the cage of the load.

Winding gear.

19. There shall be on the drum of every machine used for lowering or raising persons such flanges or horns, and also, if the drum is conical, such other appliances as may be sufficient to prevent the rope from slipping.

Brake.

20. There shall be attached to every machine worked by steam, water, or mechanical power, and used for lowering or raising persons, an adequate brake, and also a proper indicator (in addition to any mark on the rope which shows to the person who works the machine the position of the cage or load in the shaft).

Exposed machinery to be fenced.

21. Every flywheel and all exposed and dangerous parts of the machinery used in or about the mine shall be, and shall be kept, securely fenced.

Boiler regulations.

22. Every steam-boiler shall be provided with a proper steam-gauge and water-gauge, to show respectively the pressure of steam and the height of water in the boiler with a proper safety-valve.

23. After dangerous gas has been found in any mine, a barometer or thermometer shall be placed above the ground in a conspicuous position near the entrance to the mine.

24. No person shall wilfully damage or, without proper authority, remove or render useless any fence, fencing, casing, lining, guide, means of signalling, signal, over-chain, flange, horn, break, indicator, steam-gauge, water-gauge, safety-valve, or other appliance or thing provided in any mine with a view to compliance with these Rules and Regulations.

Inspection of machinery, &c.

25. Once in every week a competent person appointed for the purpose shall examine the state of the machinery, headgear, shafts, working place, levels, planes, ropes, chains, and other works of the mine which are in actual use, and shall make a true report of the result of such examination; such report shall be recorded in a book kept for the purpose, and shall be open always for inspection by the Commissioner of Mines or other officer deputed by him.

Accidents in mines.

26. Any accident occurring in or about any mine resulting in injury to the life or limb of any person, shall be at once reported to the Commissioner of Mines, and a report shall be forwarded setting forth how the accident occurred, within twenty-four hours.

Charge of steam-engines.

27. Steam-engines may not be placed in charge of any person under 18 years of age.

Competent manager to be employed.

28. Every mine must be under the control and daily supervision of a thoroughly competent manager.

Returns to be furnished to Commissioner of Mines.

29. The owner, agent, or manager of a mine is required to furnish in triplicate to the Commissioner of Mines, or his duly authorized deputy, all such Returns and statistics of and relating to the workings and operations of the said mine, verified on oath, if required, at such times and in accordance with such forms as the Commissioner of Mines may prescribe.

Plan of abandoned mines.

30. A correct plan of an abandoned mine must be sent to the Commissioner of Mines.

Working plans.

31. The registered owners of all mining and mineral leases and prospecting areas or ground held for mining purposes under any other form of holding, upon which development work exceeding in the aggregate 500 feet of shafts, winzes, levels, and cross-cuts has been carried out, may be called upon by the Commissioner of Mines to employ a surveyor, duly admitted and licensed to practice in the Protectorate, once every six months, or oftener if necessary, who shall prepare in triplicate (two copies may be cloth tracings), in accordance with technical instructions issued by the Chief Surveyor, the following plans and sections of the workings up to date, viz :—

(1.) General plan.
(2.) Working plan.
(3.) Vertical, longitudinal projections of the workings on each reef or mineral deposit where the average inclination is more than 45 degrees.
(4.) Longitudinal section on the plane of each reef, or mineral deposit stopped, where the average inclination is more than 45 degrees.
(5.) Transverse sections at right angles to the longitudinal projection.

The original to be kept on the mine, and the tracings to be supplied to the Commissioner of Mines, who shall forward one of them to the Chief Surveyor for verification in the usual way.

In the event of returns of tonnage of ore or coal extracted, and of ore or coal in reserve, which may appear inaccurate to the Commissioner of Mines, the owners of all mining properties may be called upon to tender a statement prepared by the surveyor employed, as to the said tonnage, based upon the survey of the mine, at the expense of the owner, to the satisfaction of the Commissioner of Mines.

The surveyor is to report opposite to each instruction whether he has carried it out or not, and if he has not carried it out to give his reasons.

Notice of new workings or discontinuance of workings to be furnished to the Commissioner of Mines.

32. In any of the following cases, namely :—

(*a.*) Where any working is commenced for the purpose of opening a new mine, or a new shaft, or a seam of any mine ;

(*b.*) Where a shaft or seam of any mine is abandoned or the working thereof discontinued ;

(*c.*) Where the working of shaft or a seam of any mine is recommenced after any abandonment, or discontinuance for a period exceeding two months ; or

(*d.*) Where any change occurs in the name of any mine or in the name of the owner, agent, or manager of any mine, or the principal officers of any incorporated Company which is the owner of a mine; the owner, agent, or manager of the mine shall give notice thereof in writing to the Commissioner of Mines, within two months after the commencement, abandonment, discontinuance, recommencement or change, and if such notice is not given, the owner, agent, and manager, shall be liable, for failing to give such notice.

Powers of inspection of Commissioner of Mines or other officer.

33. The Commissioner of Mines or other officer appointed as Inspector for the purpose, shall have power to do all or any of the following things namely :—

(*a.*) To make, or cause to be made, such inquiry and examination as he may consider necessary to ascertain whether the provisions of these Rules are duly complied with.

(*b.*) To enter, inspect, and examine any mine, and every part thereof and any fence, fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake indicator, steam-gauge, water-gauge, safety-valve, or other appliance or things provided in any mine, or any machinery or plant used in connection with such mine, and any mining area, at all reasonable times by day and night, but so as not to impede or obstruct the working of the mine.

(*c.*) To examine into and make inquiry respecting the state and condition of any mine, or any part thereof, and the ventilation of the mine, and the sufficiency of the special Rules for the time being in force in the mine, and all matters and things connected with or relating to the safety of persons employed in or about the mine, or any mine contiguous thereto, or in any mining area, or the care and treatment of the horses and other animals employed in the mine or mining area.

(*d.*) To exercise such other powers as may be necessary for carrying these Rules into effect.

Offences against Rules.

34. Every person who wilfully obstructs the Commissioner of Mines, or other officer appointed as an Inspector, in the execution of his duty under these Rules, and every owner, agent, and manager of a mine who refuses or neglects to furnish to the Inspector the means and assistance necessary for making an entry, inspection, examination, or inquiry under these Rules in relation to the mine or mining area, shall be guilty of an offence against these Rules.

Liability of owners, agents, managers, &c.

35. If in any respect (which is not provided against by any express provision of these Rules, or by any special Rule) the Inspector finds any mine or any part thereof, or any fence, fencing casing, mining, guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, steam-gauge, water-gauge, safety-valve, or other appliance or thing provided in any mine, or any matter, thing, or practice, in or connected with any such mine, or mining area, or with the control, management, or direction thereof, by the manager to be dangerous or defective, so as, in his opinion, to threaten or tend to the bodily injury of any person, he may give notice in writing thereof, to the owner. agent, or manager of the mine, and shall state in the notice the particulars in which he may consider the mine, or any part thereof, or any matter, thing, or practice, to be

dangerous, and require the same to be remedied forthwith, and it shall be the duty of the owner, agent, or manager to carry out such orders, but such notice shall not absolve snch owner, agent, or manager for liability to prosecution for contravening any of these Rules.

36. No person shall be precluded by any agreement from doing, or be liable under any contract to any penalty or forfeiture for doing, such acts as may be necessary in order to comply with the provisions of these Rules.

Contractors not exempt from provisions of these Rules.

37. The powers of the Commissioner of Mines or other officer appointed as Inspector, shall extend over the whole of the mining area of the digging or mine to which he may be appointed, in so far only as the general safety of life and limb is concerned.

Jurisdiction of Commissioner of Mines or other officer.

38. Any person found guilty of contravening any of these Rules shall be liable on conviction thereof to pay a penalty not exceeding 500 rupees.

C. ELIOT,
His Majesty's Commissioner.

Mombasa, April 12, 1902.

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